

Gerrit M. Pronske
State Bar No. 16351640
Melanie P. Goolsby
State Bar No. 24059841
PRONSKE GOOLSBY & KATHMAN, PC
2701 Dallas Parkway, Suite 590
Plano, Texas 75093
Telephone: 214.658.6500
Facsimile: 214.658.6509
Email: gpronske@pgkpc.com
Email: mgoolsby@pgkpc.com

PROPOSED COUNSEL FOR THE DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In re:	§	
	§	CASE NO. 18-42552-11
JMV HOLDINGS LLC,	§	
	§	CHAPTER 11
Debtor.	§	

**MOTION FOR AN ORDER EXTENDING TIME FOR DEBTOR
TO FILE SCHEDULES AND STATEMENT OF FINANCIAL AFFAIRS**

TO THE HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE:

JMV Holdings LLC (the “**Debtor**”), debtor in the above-referenced bankruptcy case, files this Motion for an Order Extending Time for Debtor to File Schedules and Statement of Financial Affairs (the “**Motion**”) pursuant to Rules 1007(a)(5) and 9006(b)(1) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Local Rule of Bankruptcy Procedure 1007(b). In support of the Motion, the Debtor respectfully shows the Court as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334(b). This matter is a core proceeding and this Motion is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The bases for relief requested herein are Bankruptcy Rules 1007(a)(5) and 9006(b)(1) and Local Bankruptcy Rule 1007(b).

II. BACKGROUND

3. On November 9, 2018 (the “**Petition Date**”), the Debtor filed its voluntary petition for bankruptcy relief under Chapter 11 of the Bankruptcy Code initiating this bankruptcy case (the “**Chapter 11 Case**”). No trustee, examiner, or official committee of unsecured creditors has been appointed.

4. The Debtor’s schedules and statement of affairs (collectively, the “**Schedules**”) are due to be filed with the Court on November 23, 2018.

5. The Section 341 meeting of creditors is scheduled to take place on December 7, 2018 at 11:30 a.m.

6. Since the Petition Date, the Debtor has been involved in litigation from the 192nd Judicial District Court of Dallas County opposing the Plaintiff’s attempt to remand the removed adversary proceeding. *See* Adv. Proc. No. 18-03348-BJH in the United States Bankruptcy Court for the Northern District of Texas. The Debtor therefore requires additional time to fully prepare the schedules and statements.

III. APPLICABLE AUTHORITY

7. Bankruptcy Rule 1007 states that the Court may extend the time allowed for a debtor to file the schedules and statement of financial affairs upon request of the debtor for cause

and with notice to parties including the U.S. Trustee. Fed. R. Bank. P. 1007.

8. Likewise, Bankruptcy Rule 9006(b)(1) provides that, “when an act is required or allowed to be done at or within a specified period by these rules or by notice given thereunder or by order of court, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if the request therefor is made by the expiration of the period originally prescribed....” Fed. R. Bank. P. 9006.

9. The Debtor respectfully requests additional time, up to and including November 30, 2018, to file its Schedules and as allowed by Bankruptcy Rule 1007. The Debtor requires this additional time to ensure that its schedules and statements are accurately prepared, particularly considering the intervening Thanksgiving holiday and limited availability of the necessary staff and personnel to complete the forms by the original deadline.

IV. NOTICE

10. As required by the Bankruptcy Rules and Local Rule 1007, notice of this Motion will be provided to creditors listed on the Creditor Matrix, to the United States Trustee and all parties who have filed a notice of appearance.

V. RELIEF REQUESTED

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully requests an extension, up to and including November 30, 2018, to file its Schedules and Statement of Affairs as required by Bankruptcy Rule 1007, and such other and further relief as the Court deems appropriate.

Dated: November 20, 2018.

Respectfully submitted,

/s/ Melanie P. Goolsby

Gerrit M. Pronske

State Bar No. 16351640

Melanie P. Goolsby

State Bar No. 24059841

PRONSKE GOOLSBY & KATHMAN, PC

2701 Dallas Parkway, Suite 590

Plano, Texas 75093

Telephone: 214.658.6500

Facsimile: 214.658.6509

Email: gpronske@pgkpc.com

Email: mgoolsby@pgkpc.com

**PROPOSED COUNSEL FOR THE
DEBTOR**

CERTIFICATE OF CONFERENCE

I hereby certify that, on November 20, 2018, I attempted to confer with Timothy O'Neal, trial counsel for the United States Trustee, via telephone and email regarding the extension requested herein. As of the time of filing this Motion, however, Mr. O'Neal has not responded to indicate whether the UST is opposed to the extension requested herein.

/s/ Melanie P. Goolsby

Melanie P. Goolsby

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on November 20, 2018, I caused to be served the foregoing pleading upon the United States Trustee, upon the parties on the attached creditor matrix via First Class mail, and upon any party registered to receive electronic notice via the Court's electronic transmission facilities.

/s/ Melanie P. Goolsby

Melanie P. Goolsby